

May 2020

Children, Families, Health, and Human Services Interim Committee
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MAY 11, 2020, MEETING: SUMMARY OF MATERIALS

BACKGROUND

Because the May 11, 2020, meeting of the Children, Families, Health, and Human Services Interim will be held as a video conference with members attending remotely, this document is provided to summarize the materials members have received for the May 11 study and agency oversight topics.

HJR 50 MATERIALS

The March meeting packet contained four staff-prepared documents for the House Joint Resolution 50 study of senior and long-term care services, as summarized below:

- **Policy Changes and Their Origins:** Throughout the interim, some stakeholders have questioned recent policy changes for the Big Sky Waiver and suggested that some of the changes might be contrary to state or federal law or regulations. Committee members wondered whether the policy revisions stemmed from changes in the laws or regulations governing the waiver services. The briefing paper looks at policy changes involving:
 - the Medically Needy, or Medicaid "spend down," program;
 - social supervision hours and nonmedical transportation miles;
 - vehicle modifications; and
 - waiver eligibility and services.

In short, the briefing paper shows that:

- no state or federal laws or regulations involving those services have changed substantively in recent years;
- DPHHS has been revising the Big Sky Waiver language and policies since 2011 to come into compliance with federal guidance it was receiving on vehicle modifications;
- the changes to the Medically Needy eligibility requirements may be stricter than those in state law and administrative rule; and
- federal regulations require that substantive changes to waiver services must be submitted to the federal government for approval, but the department has not submitted a waiver amendment for any of the changes.

- **2019 Budget Cuts and Restorations:** HJR 50 asked that a study of senior and long-term care services look at the budget reductions and restorations that were made in the previous biennium. This briefing paper summarizes:
 - the senior and long-term care services that were cut in fiscal year 2018 when revenues fell below target levels; and
 - the ways in which DPHHS used money restored to its budget when revenues hit target levels in fiscal year 2019.
- **Senior and Long-Term Care Division Financial History FY 2016-FY 2021:** This Legislative Fiscal Division document summarizes appropriations and expenditures for the Senior and Long-Term Care Division for the current and two previous biennia. It also highlights some key budget trends. Josh Poulette of the Legislative Fiscal Division will be discussing this document in more depth.
- **Summary of Suggestions:** This briefing paper lists suggestions that stakeholders have made through presentations or public comment over the course of the study. Committee members may want to use this document during the committee discussion of next steps for the study. The suggestions are grouped by the following topic areas:
 - access to services;
 - workforce;
 - services;
 - rules and policies;
 - eligibility; and
 - general suggestions.

The committee also has received the following materials electronically, from scheduled speakers:

- a fact sheet on Alzheimer's disease and suggestions for action from the Montana Alzheimer's Association;
- a handout on long-term services and supports, from AARP; and
- a summary of services provided by Montana's area agencies on aging.

OTHER MAY 11 MATERIALS

In addition to the HJR 50 materials, the committee also has received:

- two staff briefing papers, sent only electronically, on COVID-19 impacts related to DPHHS, health care services, and human services programs, as background for the DPHHS COVID-19 update;
- a staff briefing paper, sent only electronically, discussing the key points of the federal appeals court ruling on the Medicaid work requirements in Arkansas, as background for any DPHHS-provided information on the status of House Bill 658 implementation; and
- both hard copy and electronic news articles related to DPHHS and other health and human services topics, including articles on:
 - COVID-19 impacts on health care and human services in the state;
 - administrative rule changes for schools and for the medical marijuana program; and
 - additional funding for community mental health services.

These news articles may provide background information for items discussed during the scheduled DPHHS update.